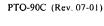


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Γ	APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
	09/773,356	02/01/2001	Shinichi Miyazaki	0033-0689P	5541	
	7:	590 02/21/2003				
	BIRCH, STEWART, KOLASCH & BIRCH, LLP			- EXAMINER		
	P.O. Box 747 Falls Church, VA 22040-0747			FISCHER, JUSTIN R		
				ART UNIT	PAPER NUMBER	
				1733 DATE MAILED: 02/21/2003	68	

Please find below and/or attached an Office communication concerning this application or proceeding.



N. C.			A98				
	Application No.	Applicant(s)	70				
Advisory Action	09/773,356	MIYAZAKI ET AL.					
,	Examiner	Art Unit					
	Justin R Fischer	1733					
The MAILING DATE of this c mmunicati n appe	ears n the cover sheet with the c	correspondenc addr	ess				
THE REPLY FILED 10 February 2003 FAILS TO PLACE Therefore, further action by the applicant is required to a virial rejection under 37 CFR 1.113 may only be either: (1) condition for allowance; (2) a timely filed Notice of Appea Examination (RCE) in compliance with 37 CFR 1.114.	void abandonment of this applica) a timely filed amendment whicl	ation. A proper reply h places the applicat	to a tion in				
PERIOD FOR RE	EPLY [check either a) or b)]						
a) \square The period for reply expires $\underline{4}$ months from the mailing date	e of the final rejection.						
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The ee have been filed is the date for purposes of determining the period cee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of 2) as set forth in (b) above, if checked. Any reply received by the Officimely filed, may reduce any earned patent term adjustment. See 37 CFR 1.17(a) is calculated from: (1) the expiration date of 2) as set forth in (b) above, if checked. Any reply received by the Officimely filed, may reduce any earned patent term adjustment. See 37 CFR 1.10 is calculated from:	later than SIX MONTHS from the mailing FILED WITHIN TWO MONTHS OF The date on which the petition under 37 CF of extension and the corresponding amount the shortened statutory period for reply ce later than three months after the mai	g date of the final rejection HE FINAL REJECTION. R 1.136(a) and the apprount of the fee. The appropriationally set in the final (on. See MPEP opriate extension opriate extension Office action; or				
1. A Notice of Appeal was filed on Appellant's 37 CFR 1.192(a), or any extension thereof (37 CFF							
2. The proposed amendment(s) will not be entered be	ecause:						
(a) they raise new issues that would require further consideration and/or search (see NOTE below);							
(b) they raise the issue of new matter (see Note below);							
(c) they are not deemed to place the application is issues for appeal; and/or	n better form for appeal by mate	rially reducing or sin	nplifying the				
(d) they present additional claims without canceli NOTE:	ing a corresponding number of f	inally rejected claims	3.				
3. Applicant's reply has overcome the following rejecti	ion(s):						
4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s).	be allowable if submitted in a se	eparate, timely filed a	amendment				
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for application in condition for allowance because: Se		dered but does NOT	Fplace the				
6. The affidavit or exhibit will NOT be considered bec raised by the Examiner in the final rejection.	ause it is not directed SOLELY t	o issues which were	newly				
For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.							
The status of the claim(s) is (or will be) as follows:							
Claim(s) allowed:							
Claim(s) objected to:							
Claim(s) rejected: <u>1-8</u> .							
Claim(s) withdrawn from consideration:							
8. The proposed drawing correction filed on is	a) approved or b) disapp	roved by the Examir	ner.				
Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s)							
10. Other:							
•							

Justin fischel 2/19/03



Continuation of 5. does NOT place the application in condition for allowance because: Applicant has amended the independent claims (1 and 4) to include a limitation that was previously required by dependent claim 3. As set forth in Paper Number 6, Paragraph 4, Nakamura suggests that corrosion resistance and dimensional stability can be improved in a steel cord by incorporating a wide variety of non metallic filaments or fibers, such as rubber, plastic, and organic materials. In particualr, Nakamura describes the use of polybutadiene, polyisoprene, styrene butadiene, polyethylene, and polypropylene (Table 1), which are the same materials described by the claimed invention. Thus, although Starinshak only discusses the use of a polybutadiene rubber to improve fatigue resistance and corrosion resistance (same benefits disclosed by Nakamura), one of ordinary skill in the art at the time of the invention would have readily appreciated the use of additional materials, such as polyethylene or polypropylene, in view of Nakamura. Thus, Nakamura recognizes the ability to obtain the same benefits of Starinshak with additional non metallic materials, as compared to the polybutadiene rubber of Starinshak. Regarding the newly presented limitation of there being gaps between metallic filaments, it is clearly evident that upon melting, the non metallic filaments or fibers of Starinshak would produce gaps. Lastly, applicant contends that the non metallic filament of Starinshak is placed in the "core" of the cord while the claim requires that no "non metallic" filament constitutes a "core" of the cord. As stated in Paper Number 6, Paragraph 6, Starinshak discloses a 1x12 construction which is recognized in the tire and cord industries as not defining a core/sheath construction. Therefore, the non metallic filaments of Starinshak do not constitute a "core" of the cord.

Michael W. Ball

Supervisory Patent Examiner Technology Center 1700